

EXHIBIT BB

In The Matter Of:
Allan Chiocca vs.
The Town of Rockland, et al.

Edward F. Kimball, Jr.
Vol. I
September 8, 2021



DORIS O. WONG
ASSOCIATES, INC.

C O U R T R E P O R T E R S

50 Franklin St., Boston, MA 02110
Phone (617) 426-2432

Original File KIMBALL_JR_Edward.txt
Min-U-Script® with Word Index

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

159

1 referring to as "this whole situation is fucked up"
2 and she doesn't want you to get sucked back in?

3 MR. COOPER: Now answer that question
4 without disclosing oral communications with your
5 wife.

6 THE WITNESS: Okay.

7 A. So at that point in time, Ms. Hall had
8 already called me earlier in the morning and
9 disclosed to me that she believed something
10 inappropriate had happened at town hall. That was
11 the morning of the 17th, okay? She was upset. I
12 could tell she was anxious. I could also sense that
13 she was asking me for help.

14 Okay?

15 Q. Okay.

16 A. She had told me that she couldn't remember
17 anything that night; that she believed she was
18 drunk, drinking, and can't remember anything. And
19 she believes it may have happened at town hall after
20 the board of selectmen's meeting.

21 And I said, "Okay." And my response was,
22 "I've got to process this."

23 And then we're talking about the 17th, so
24 leading up to these texts, the whole course of

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

160

1 events that day, I went up to town hall, as everyone
2 knows. I spoke to Mr. Hart about videos. I again
3 spoke to Ms. Hall later in the day, still nothing
4 different other than the fact that she told me she
5 spoke to her husband when she got home and she said
6 she'd have her husband call me.

7 Later that night, her husband had called me
8 prior to this text, mentioned "blow jobs,"
9 "contracts." And I'm like, "Okay."

10 At that point, I think I texted
11 Mr. Chiocca. Mr. Chiocca called me. I informed
12 Mr. Chiocca that a board member's husband had called
13 me. Mr. Chiocca -- I think his response at that
14 time was, "Oh, fuck. The tapes at Rockland Bar and
15 Grill" -- "RBG," to be exact. And then me and wife,
16 according to this text, were thinking, "What the
17 hell happened?"

18 And me, it became apparently clear to me
19 that something of a sexual nature had happened based
20 on the discussion with Ms. Hall in the morning,
21 based on the fact what Mr. Hall had told me and then
22 what Mr. Chiocca had said about tapes at RBG. And I
23 had already seen the tapes at that point of
24 Mr. Chiocca and Ms. Hall coming into town hall.

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

169

1 number of times that day.

2 Q. How many times? Do you remember?

3 A. I want to say I spoke in the morning to
4 her. After I went to town hall and seen the tapes,
5 I called her to speak again to her.

6 Q. Okay.

7 A. Then we met in person. And then I believe
8 we may have spoken -- we may have even spoken again
9 that evening, shortly, briefly.

10 Q. That first conversation with you, you said
11 she said that "something happened to me."

12 Is that the words she used?

13 A. I believe so. Something happened to her,
14 yes.

15 Q. And did she elaborate on that at all?

16 A. What she told me was, she believed it was
17 at town hall. She couldn't remember. She had been
18 drinking, and she said that she thinks it happened
19 at town hall after the meeting with Allan.

20 Because she said that he had thanked her
21 for her birthday present. And I said, "Well, what
22 did you get him?" And she said, "I didn't get him
23 anything."

24 So I was, like --

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

172

1 A. She didn't give him a birthday present.

2 Q. Maybe she did because she forgot?

3 A. I don't know. I'm just telling you what
4 the conversation was.

5 So I went down to town hall later that day.
6 I went into Eric Hart's office, who is our town
7 accountant, and he doubled as the IT guy.

8 I said to Eric Hart, "A resident had
9 approached me and told me that they might have seen
10 something happen at town hall the other night after
11 the board of selectmen's meeting. Do the tapes
12 record" -- "do the tapes have that?"

13 And he goes, "Yeah. Let me pull them up."

14 So he pulled them up. I was only in there
15 briefly, okay? Because at that time I was at town
16 hall with my wife. I had left my wife in Allan's
17 office, and I went over to Eric's office.

18 And Eric said, "You're not going to believe
19 this," and lo and behold, on the screen was
20 Mr. Chiocca and Ms. Hall. So I seen them coming
21 into town hall and going back.

22 Now, I had a meeting later that evening, I
23 believe. I think it was a 6:00 p.m. meeting for the
24 school building committee that Mr. Hart would attend

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

192

1 All I had seen prior to going to the rail
2 trail was that, in fact, Ms. Hall and Mr. Chiocca
3 were at town hall after hours. So it confirmed that
4 Ms. Hall and Mr. Chiocca was there, as she
5 suspected. That's all. I knew nothing more at that
6 point.

7 And I did not disclose that, by the way,
8 either, because I wanted to see if they knew any
9 more. So I asked.

10 Q. So you asked.

11 And in that initial call to you, you
12 testified earlier you thought she was asking for
13 help; is that correct?

14 A. That's right.

15 Q. What did she specifically ask you to do?
16 Or what did you understand her to be asking?

17 MR. COOPER: You know, you asked him this
18 exact question multiple times already.

19 MS. HALEM: Right.

20 MR. COOPER: I object.

21 Go ahead.

22 A. Again, as I had said previously, it was my
23 assumption that something had happened to Ms. Hall
24 at town hall. I assumed, based on her demeanor in

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

193

1 the conversation, okay, it was my assumption that
2 she was asking for help. I had pressed her to find
3 out what, in fact, happened, and there was the same
4 response that she couldn't remember multiple times.
5 I went through this earlier with you.

6 I did not disclose to Ms. Hall that I had
7 seen the videos. In fact, I didn't disclose to
8 Ms. Hall anything about the videos until the
9 following morning when I sent her a screen shot to
10 try to jog her memory.

11 Q. Did you see anything on those videos any
12 time you watched them that shows sexual contact of
13 any kind?

14 A. I didn't see anything on the videos at that
15 point in time.

16 When you're saying "that point in time,"
17 you mean before the rail trail?

18 Q. No.

19 A. When?

20 Q. That day.

21 A. That day.

22 So you mean the evening when I watched the
23 videos?

24 Q. Yes.

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

194

1 A. In my opinion, I seen, we'll say, contact.
2 When I seen the video of Mr. Chiocca parking his
3 truck out back and putting his arm around Ms. Hall
4 to assist her out and up the stairway, I seen that
5 something could have been of maybe -- I wouldn't say
6 sexual, but something more than just a friend.

7 Q. How so?

8 A. That's my opinion. You asked me.

9 Q. So I'm asking, at that point in time did
10 you see sexual contact between the two of them on
11 the tape?

12 A. I didn't see sexual contact. What I seen
13 was something more than a friend, more than a
14 coworker helping someone out of their vehicle, more
15 than a coworker bringing someone up a set of stairs.

16 Q. And what specifically did you see that you
17 thought was more than a friend?

18 A. It looked like it was boyfriend and
19 girlfriend to me.

20 Q. What did you visually see? I'm asking for
21 a description.

22 A. I seen Mr. Chiocca go around and open the
23 door to his vehicle to assist Ms. Hall in getting
24 out.

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

197

1 large vehicle.

2 Q. Okay. But still you think he put his hand
3 out to help her down? Not arm around her, right?

4 A. What I seen is, to the best of my
5 recollection -- I have not seen the video since
6 2018, Samantha. What I seen, to me, was somebody
7 acting as if they were helping their girlfriend out
8 of the vehicle. That's what I seen.

9 Q. Anything else you saw in the videos that
10 made you think it was sexual?

11 MR. COOPER: Ever?

12 Q. Yeah.

13 A. Well, the fact that Mr. Chiocca exited his
14 office with his tie undone, with his -- looked like
15 his shirt was in disarray. The fact that before
16 going into his office, I seen what looked, appeared
17 to be Ms. Hall distressed, saying she wanted to go
18 home.

19 Q. And did you tell Ms. Hall any of this that
20 day?

21 A. No, I did not.

22 Q. Did you tell --

23 A. I -- what you keep forgetting, Samantha,
24 is, I didn't see all of this when I met Ms. Hall on

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

200

1 seeing the tapes, after talking to Mr. Hall, after
2 talking to Mr. Chiocca, yeah, things were very
3 fucked up for me that night, because it became quite
4 clear to me that something, in fact, of a sexual
5 nature probably did happen because everybody was
6 concerned about it.

7 Number two, I didn't know what to do about
8 it. Okay?

9 So I slept on it. Slept on it. I tried to
10 go back to make sure any differences in what I was
11 told. Nothing.

12 I finally contacted town counsel, John
13 Clifford, because I went to him for advice.
14 Something was reported to me. I found out
15 something, in fact, may have happened. I contacted
16 John Clifford.

17 Now, when John Clifford said that we would
18 meet Allan together, he would do it with me, we
19 would ask Allan what happened, we did.

20 So when we interviewed Allan, Allan said,
21 "It was only a blow job." He wanted to make it all
22 go away. So I assumed it was that was what it was.

23 Q. You actually called Allan Chiocca before
24 you met with him, correct?

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

202

1 And then, when we talked to Allan, Allan
2 conceded, said that, "It was only a blow job"; he
3 wanted to make it all go away, whatever he could do
4 to make it go away.

5 And, you know, the conversation went into
6 he didn't want anyone to know about it. The
7 conversation went into he wanted to exit his
8 employment with the town. The conversation went
9 into, "What would you do?"

10 I said, "It's not up to me. That's why I
11 brought town counsel."

12 Town counsel suggested taking -- town
13 counsel said to me we start an investigation. Allan
14 didn't want an investigation. Town counsel said he
15 would have to be put on paid leave. Allan didn't
16 want to go on paid leave.

17 So they said, "What about a nondisclosure
18 agreement?" That was not my idea. That was
19 Mr. Clifford's idea.

20 Q. Mr. Kimball --

21 A. So --

22 Q. -- did Deirdre Hall --

23 MR. COOPER: Are you done talking?

24 MS. HALEM: I thought he was done.

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

294

1 COMMONWEALTH OF MASSACHUSETTS)

2 SUFFOLK, SS.)

3 I, Alexander K. Loos, RDR and Notary Public in
4 and for the Commonwealth of Massachusetts, do hereby
5 certify that there came before me on the 8th day of
6 September, 2021, at 10:06 a.m., the person
7 hereinbefore named, who was by me duly sworn to
8 testify to the truth and nothing but the truth of
9 his knowledge touching and concerning the matters in
10 controversy in this cause; that he was thereupon
11 examined upon his oath, and his examination reduced
12 to typewriting under my direction; and that the
13 deposition is a true record of the testimony given
14 by the witness. I further certify that I am neither
15 attorney or counsel for, nor related to or employed
16 by, any attorney or counsel employed by the parties
17 hereto or financially interested in the action.

18

19

20

21

22

23

24

Edward F. Kimball, Jr. - Vol. I - September 8, 2021

295

Under Federal Rule 30:

☒ Reading and Signing was requested

☐ Reading and Signing was waived

☐ Reading and Signing was not requested

In witness whereof, I have hereunto set my hand
and affixed my notarial seal this 22nd day of
September, 2021.



Notary Public

Commission expires 5/5/28